

HOWREY & SIMON

January 8, 1999

Box Patent Application

Assistant Commissioner for Patents
Washington, D.C. 20231

Jeffrey I. Auerbach

Re: U.S. Non-Provisional Patent Application
Appl. No. **To Be Accorded;** Filed: **Herewith**
For: **Method For Increasing Viability And Transformation**
Efficiency Of Bacteria During Storage At Low Temperatures
Inventor: **F.R. Bloom, et al**
Our Ref: **04227.0031 US03**

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. U.S. Utility Patent Application entitled:
METHOD FOR INCREASING VIABILITY AND TRANSFORMATION
EFFICIENCY OF BACTERIA DURING STORAGE AT LOW TEMPERATURES

and naming as inventors: Frederic R. Bloom, Jonathan Kuo, Jhy-Jhu Lin and Jin Ma


the application comprising:

- a. A specification containing:
 - (i) 61 pages of description prior to the claims;
 - (ii) 5 pages of claims (44 numbered claims);
 - (iii) a one (1) page abstract
 - (iv) 31 sheets of drawings;
 - b. A copy of the originally filed Declaration and Power Attorney; and
 - c. A copy of Power of Assignee w/Certification
2. Two (2) return postcards.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

The Commisisoner is hereby authorized to charge Howrey & Simon's Deposit Account No. 08-3038 any and all fees in connection with the filing of this application. This request is submitted in duplicate.

Respectfully submitted.


Jeffrey I. Auerbach
Registration No. 32,680

Enclosures

Please type a plus sign (+) inside this box ☐

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Approved for use through 09/30/00. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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PTQ/SB/05 (2/98)

01/08/99

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Only for new nonprovisional applications under 37 CFR 1.53(b)

Attorney Docket No. **04227.0031 US03**

First Named Inventor or Application Identifier **BLOOM, F. R., et al**

Title **Method For Increasing Viability And Transformation Efficiency Of Bacteria During Storage At Low Temperatures**

Express Mail Label No.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO: Assistant Commissioner
Box Patent Application
Washington, DC 20231

1. ☐ *Fee Transmittal Form (Form PTO-1082)
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages **67**]
(preferred arrangement set forth below)
- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R&D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claims
- Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) [Total Sheets **31**]
4. ☐ Oath or Declaration [Total Pages **4**]
a. ☐ Newly executed (original or copy)
b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named
in the prior application, see 37 CFR 1.63(d)(2) and
1.33(b).
5. ☒ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy
of the oath or declaration is supplied under Box 4b, is considered
as being part of the disclosure of the accompanying application
and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Readable Copy
b. ☐ Paper Copy (identical to computer copy)
c. ☐ Statement verifying identity of above
copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☒ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503) (Two)
(should be specifically itemized)
14. ☐ *Small Entity Statement(s) ☐ Statement filed in prior application, Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Other: **Statement Regarding Sequence Listing**

*NOTE FOR ITEMS 1 & 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

prior application No: **08/826,426, filed 3/27/97**

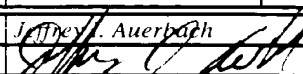
Prior Application Information: Examiner: **RAILEY, J.** Group/Art Unit: **1636**

18. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

or ☒ Correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME	Jeffrey I. Auerbach				
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Signature			Date	1/8/99	

Best Effort Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
F. R. Bloom, et al : Group Art Unit: 1636
Serial No. To be Accorded : Examiner:
Filed: Herewith : Atty Dkt: 04227.0031 US03
For: **Method For Increasing Viability And** :
Transformation Efficiency Of Bacteria :
During Storage At Low Temperatures :

STATEMENT REGARDING SEQUENCE SUBMISSION

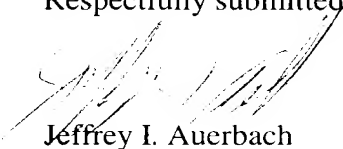
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned hereby states that in accordance with 37 CFR 1.821(c) and (e), respectively, the content of the paper copy of the Sequence Listing of the present application is the same as the content of the Sequence Listing and the computer readable copy of the Sequence Listing in the parent Application Serial No. 08/826,426, filed March 27, 1997. Applicants request that the computer readable Sequence Listing that is already on file for said parent application be used for this application.

Respectfully submitted,

Date: 1/2/98
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